# THE INTERPRETATION ACT, 1889
(52 & 53 Vict. c. 63) (a).

An Act for consolidating enactments relating to the Construction of Acts of Parliament, and for further shortening the Language used in Acts of Parliament. [30th August, 1889.]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Re-enactment of existing Rules.
1.—(1.) In this Act and in every Act passed after the year one Rules as to thousand eight hundred and fifty, whether before or after the commencement of this Act, unless the contrary intention appears,— number.
(a) words importing the masculine gender shall include females; and
(b) words in the singular shall include the plural, and words [=13 & 14in the plural shall include the singular (v. ante, Vict. 0. 21, p. 161). S.4.]

(2.) The same rules shall be observed in the construction pf
every enactment relating to an offence punishable on indictment
or on summary conviction, when the enactment is contained in an
Act passed in or before the year one thousand eight hundred and [=7 & 8 Greo.
fifty. 4,0.28,8.14.]'
(a) This Act applies to Imperial Acts only. For a table showing legislation
of similar character in other parts of the King's Dominions, see post, p. 676.

2.—(1.) In the construction of every enactment relating to an offence punishable on indictment or on summary conviction, whether contained in an Act passed before or after the commencement of this Act, the expression "person" shall, unless the contrary intention appears, include a body corporate (v. ante,Tp. 161).

(2.) "Where under any Act, whether passed before or after the commencement of this Act, any forfeiture or penalty is payable to a party aggrieved, it shall be payable to a body corporate in every case where that body is the party aggrieved (v. ante, p. 162).

3. In every Act passed after the year one thousand eight hundred and fifty, whether before or after the commencement of this Act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them; namely
—
The expression "month " shall mean calendar month (v. ante, pp. 163, 564):
The expression "land" shall include messuages, tenements, and hereditaments, houses, and buildings of any tenure (v. ante, p. 556):
The expressions "oath" and " aflSdavit " shall, in the case of persons for the time being allowed by law to affirm or declare instead of swearing, include affirmation and declaration, and the expression " swear " shall, in the like case, include affirm and declare (v. ante, p. 164).

4. In every Act passed after the year one thousand eight hundred and fifty and before the commencement of this Act, the expression "county" shall, unless the contrary intention appears, be construed as including a county of a city and a county of a town
(v. ante, p. 164).

5. In every Act passed afiter the year one thousand eight hundred and sixty-six, whether before or after the commencement of this Act, the expression "parish" shall, unless the contrary intention appears, mean, as respects England and Wales, a place for which a separate poor rate is or can be made, or for which a
separate overseer is or can be appointed (v. ante, p. 164).

.6. **In this Act, and in every Act and Order of Council passed or made after the year one thousand eight hundred and forty-six**, whether before or after the commencement of this Act, the expression "county court" shall, unless the contrary intention appears, mean as respects England and Wales a court under the County
Courts Act, 1888 (v. ante, p. 529).

7, In every Act relating to Scotland, whether passed before or after the commencement of this Act, unless the contrary intention appears
—
The expression " sheriff ' clerk " shall include steward clerk;
The expressions "shire," "sheriffdom," and "county" shall include any stewartry in Scotland (v. ante, p. 590).

8, Every section of an Act shall have effect as a substantive
enactment without introductory words (13 & 14 Vict. c. 21, s. 2-
V. ante, p. 213).

9, Every Act passed after the year one thousand eight hundred
and fifty, whether before or after the commencement of this Act shall be a public Act and shall be judicially noticed as such, unless
the contrary is expressly provided by the Act (13 & 14 Vict. c. 21,
s. 7; V. ante, ^. 63).
10. Any Act may be altered, amended, or repealed in the same Amendment session of Parliament (13 & 14 Vict. o. 21, s. 1; v. ante, pp. 314, or repeal of Acts in same session.
11.—(1.) Where an Act passed after the year one thousand Egectof eight hundred and fifty, whether before or after the commence- repeal by Acts ment of this Act, repeals a repealing enactment, it shall not be passed since
construed as reviving any enactment previously repealed, unless l^ ^"-
words are added reviving that enactment (v. ante, pp. 317, 372).

(2.) Where an Act passed after the year one thousand eight [=13 & 14 hundred and fifty, whether before or after the commencement of Vict. 0. 21, this Act, repeals wholly or partially any former enactment and ^- ^O
substitutes provisions for the enactment repealed, the repealed [=13 & 14 enactment shall remain in force until the substituted provisions Vict. o. 21, come into operation (v. ante, p. 346). s. 6.]

New General Rules of Construction.

12. In this Act, and in every other Act whether passed before official definior after the commencement of this Act, the following expressions tions in past shall, unless the contrary intention appears, have the meanings and future
hereby respectively assigned to them, namely:
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^ ^ ^
(1.) The expression "the Lord Chancellor" shall, except when used with reference to Ireland only, mean the Lord High Chancellor of Great Britain for the time being, and when used with reference to Ireland only, shall mean the Lord Chancellor of "Lord Ireland for the time being. Chancellor."

(2.) The expression " the Treasury " shall mean the Lord High "Treasury." Treasurer for the time being or the Commissioners for the time being of Her Majesty's Treasury.

(3.) The expression " Secretary of State " shall mean one of Her " Secretary of Majesty's Principal Secretaries of State for the time being. State."

(4.) The expression "the Admiralty" shall mean the Lord "Admiralty." High Admiral of the United Kingdom for the time being, or the Commissioners for the time being for executing the office of Lord High Admiral of the United Kingdom.

(5.) The expression "the Privy Council" shall, except when "Privy used with reference to Ireland only, mean the Lords and others for Council." the time being of Her Majesty's Most Honourable Privy Council, and when used with reference to Ireland only, shall mean the Privy Council of Ireland for the time being.

(6.) The expression "the Education Department" shall mean "Eduoatioi the Lords of the Committee jBor theitime being of the Privy Council Department." appointed ,;for Education. (See now 62 & 63 Vict. c. 33, ss. 1, 2.)

(7.) The expression "the Scotch Education Department" shall "gootoh mean the Lords of the Committee for the time being of the Privy Education Council appointed for Education in Scotland. Department."

(8.) The expression "the Board of Trade" shall mean the "Board of Lords of the Committee for the time being of the Privy Council Trade." appointed for the consideration of matters relating to trade and foreign plantations.

(9.) The expression "Lord Lieutenant," when used with reference ito Ireland, shall mean the Lord Lieutenant of Ireland or other chief governors or governor of Ireland for the time being.

(10.) The expression "Chief Secretary," when used with reference to Ireland, shall mean the Chief Secretary to the Lord Lieutenant for the time being.

(11.) The expression "Postmaster General" shall mean Her Majesty's Postmaster General for the time being.

(12.) The expression "Commissioners of Woods" or "Commissioners of Woods and Forests " shall mean the Commissioners of Her Majesty's Woods, Forests, and Land Eevenues for the time being.

(13.) The expression "Commissioners of Works" shall mean . the Commissioners of Her Majesty's Works and Public Buildings for the time being.

(14.) The expression "Charity Commissioners" shall mean the Charity Commissioners for England and Wales for the time being.

(15.) The expression "Ecclesiastical Commissioners" shall mean the Ecclesiastical Commissioners for England for the time being.

(16.) The expression "Queen Anne's Bounty" shall mean the Governors of the Bounty of Queen Anne for the augmentation of the maintenance of the poor clergy.

(17.) The expression "National Debt Commissioners" shall mean the Commissioners for the time being for the Reduction of the National Debt.

(18.) The expression "the Bank of England" shall mean, as circumstances require, the Governor and Company of the Bank of England or the Bank of the Governor and Company of the Bank of England.

(19.) The expression "the Bank of Ireland" shall mean, as circumstances require, the Governor and Company of the Bank of Ireland, or the Bank of the Governor and Company of the Bank of Ireland.

(20.) The expression "consular officer" shall include consulgeneral, consul, vice-consul, consular agent, and any person for the time authorised to discharge the duties of consul-general, consul, or vice-consul. (See ante, p. 526.)

13. In this Act and in every other Act whether passed before or after the commencement of this Act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:
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(1.) The expression "Supreme Court," when used with reference to England or Ireland, shall mean the Supreme Court of Judicature in England or Ireland, as the case may be, or either branch thereof.

(2.) The expression " Court of Appeal," when used with reference to England or Ireland, shall mean Her Majesty's Court of Appeal in England or Ireland, as the case may be.

(3.) The expression " High Court," when used with reference to England or Ireland, shall mean Her Majesty's High Court of Justice in England or Ireland, as the case may be.

(4.) The expression "court of assize" shall, as respects England, Wales, and Ireland, mean a court of assize, a court of oyer and terminer, and a court of gaol delivery, or any of them,
and shall, as respects England and Wales, include the Central Criminal Court.

(5.) The expression "assizes,"' as respects England, Wales, and Ireland, shall mean the courts of assize usually held in every year, and shall include the sessions of the Central Criminal Court, but shall not include any court of assize held by virtue of any special commission, or, as respects Ireland, any court held by virtue of the powers conferred by section sixty-three of the Supreme Court of Judicature Act (Ireland), 1877.

(6.) The expression "the Summary Jurisdiction Act, 1848," shall mean the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled " An Act to facilitate the performance of the duties of justices of the peace out of sessions within England and Wales with respect to summary convictions and orders."

(7.) The expression "the Summary Jurisdiction (England) Acts" and the expression "the Summary Jurisdiction (English) Acts " shall respectively mean the Summary Jurisdiction Act, 1848, and the Summary Jurisdiction Act, 1879, and any Act, past or future, amending those Acts or either of them (b).

(8.) The expression "the Summary Jurisdiction (Scotland) Acts " shall mean the Summary Jurisdiction (Scotland) Acts, 1864 and 1881, and any Act, past or future, amending those Acts or either of them (c)
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(9.) The expression "the Summary Jurisdiction (Ireland) Acts " shall mean, as respects the Dublin Metropolitan Police District, the Acts regulating the powers and duties of justices of the peace or of the police of that district, and as respects any other part of Ireland, the Petty Sessions (Ireland) Act, 1851, and any Act, past or future, amending the same (d)
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(10.) The expression "the Summary Jurisdiction Acts" when used in relation to England or Wales shall mean the Summary Jurisdiction (England) Acts, and when used in relation to Scotland the Summary Jurisdiction (Scotland) Acta, and when used in relation to Ireland the Summary Jurisdiction (Ireland) Acts.

(11.) The expression "court of summary jurisdiction" shall mean any justice or justices of the peace, or other magistrate, by whatever name called, to whom jurisdiction is given by, or who is authorised to act under, the Summary Jurisdiction Acts, whether in England, Wales, or Ireland, and whether acting under the Summary Jurisdiction Acts or anj- of them, or under any other Act, or by virtue of his commission, or under the common law

(v. ante, p. 695).

(12.) The expression "petty sessional court" shall, as respects England or Wales, mean a court of summary jurisdiction consisting of two or more justices when sitting in a petty sessional court-house, and shall include the Lord Mayor of the city of London, and any alderman of that city, and any metropolitan or borough police magistrate or other stipendiary magis'trate when sitting in a court-house or place at which he is authorised by law to do alone any act authorised to be done by more than one justice of the peace.

(13.) The expression "petty sessional court-house" shall, as respects England and Wales, mean a court-house or other place at which justices are accustomed to assemble for holding special or petty sessions, or which is for the time being appointed as a substitute for such a court-house or place, and where the justices are accustomed to assemble for either special or petty sessions at more than one court-house or place in a petty sessional division, shall mean any such court-house or jplace. The expression shall also include any court-house or place at which the Lord Mayor of the city of London or any alderman of that city, or any metropolitan or borough police magistrate or other stipendiary magistrate is authorised by law to do alone any act authorised to be done bjmore than one justice of the peace.

(14.) The expression "court of quarter sessions" shall mean the justices of any county, riding, parts, division, or liberty of a county, or of any county of a city, or county of a town, in general or quarter sessions assembled, and shall include the court of the recorder of a municipal borough having a separate court of quarter sessions.

14, In every Act passed (after the commencement of this Act, unless the contrary intention appears, the expression " rules of court" when used in relation to any court shall mean rules made by the authority having for the time being power to make rules or orders regulating the practice and procedure of such court, and as regards Scotland shall include acts of adjournal and acts of sederunt.

The power of the said authority to make rules of court as above defined shall include a power to make rules of court for the purpose of any Act passed after the commencement of this Act, and directing or authorising anything to be done by rules of court.

15. In this Act and in every Act passed after the commencement of this Act the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:
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(1.) The expression "municipal borough" shall mean, as respects England and Wales, any place for the time being subject

to the Municipal Corporations Act, 1882, and any reference to the mayor, aldermen, and burgesses of a borough shall include a reference to the mayor, aldermen, and citizens of a city, and any reference to the powers, duties, liabilities or property of the council of a borough shall be construed as a reference to the powers, duties, liabilities, or property of the mayor, aldermen, and burgesses of the borough acting by the council.

(2.) The expression "municipal borough" shall mean, as respects Ireland, any place for the time being subject to the "Municipal Corporations (Ireland) Act, 1840."

(3.) The expression "parliamentary borough" shall mean any borough, burgh, place or combination of places returning a member or members to serve in Parliament, and not being either a county or division of a county, or a university, or a combination of universities (v. ante, p. 164).

(4.) The expression "borough" when used in relation to local government shall mean a municipal borough as above defined, and when used in relation to parliamentary elections or' the»re^istration of parliamentary electors shall mean a parliamentary borough as above defined (v. ante, p. 164).

16i In this Act and in every Act passed after the commencement of this Act the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:
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(1.) The expression "board of guardians" shall, as respects England and Wales, mean a board of guardians elected under the Poor Law Amendment Acft, 1834, and the Acts amending the same, and shall include a board of guardians or other body of persons performing under any local Act the like functions to a Board of guardians under the Poor Law Amendment Act, 1834.

(2.) The expression "poor law union" shall, as respects England and Wales, mean any parish or union of parishes for Avhich there is a separate board of guardians (v. ante, p. 164).

(3.) The expression "board of guardians" shall, as respects Ireland, mean a board of guardians elected under the Act of the Session of the first and second years of the reign of Her present Majesty, chapter fifty-six, intituled, "An Act for the more eSectua] relief of the destitute poor in Ireland," and the Acts amending the same, and shall include any body of persons appointed ,by the Local Government Board for Ireland to carry into execution the provisions of those Acts.

(4.) The expression "poor law union" shall, as respects Ireland, mean any townland or place or union, or townlands or places, for which there is a separate board of guardians.

17t In every Act passed after the commencement of this Act the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:— Definitions relating to

(1.) The expression "parliamentary election" shall mean the election pi a member or members to serve in Parliament for a county or division of a county, or parliamentary borough or division of a parliamentary borough, or for a university or combination of universities.

(2.) The expression "parliamentary register of electors" shall mean a register of persons entitled to vote at any parliamentary election.

(3.) The expression "local government register of electors" shall mean as respects an administrative county in England or Wales other than a county borough, the county register, and as respects a county borough or other municipal borough, the burgess roU.

**18. In this Act, and in every Act passed after the commencement of this Act, the following expressions shall, unless the contrary intention appears, have the meanings hereby respectively assigned to them, namely:** —

(1.) The expression "British Islands" shall mean the United Kingdom, the Channel Islands, and the Isle of Man.

(2.) The expression "British possession " shall mean any part of Her Majesty's dominions exclusive of the United Kingdom, and where parts of such dominions are under both a central and a local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one British possession.

(3.) The expression "colony" shall mean any part of Her Majesty^s dominions exclusive of the British Islands and of British India, and where parts of such dominions are under both a central and a local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one colony (see ante, p. 433).

(4.) The expression "British India" shall mean all territories and places within Her Majesty's dominions which are for the time being governed by Her Majesty through the Governor-General of India or through any governor or other ofiicer subordinate to the Governor-General of India.

(5.) The expression " India " shall mean British India together with any territories of any native prince or chief under the suzerainty of Her Majesty exercised through the Governor-General of India, or through any governor or other ofiicer subordinate to the Governor-General of India.

**(6.) The expression "Governor " shall, as respects Canada and India, mean the Governor-General, and include any person who for the time being has the powers of the Governor-Greneral, and as respects any other British possession, shall include the officer for the time being administering the government of that possession.**

(7.) The expression "colonial legislature" and the expression "legislature," when used with reference to a British possession, shall respectively mean the authority, other than the Imperial Parliament or Her Majesty the Queen in Council, competent to make laws for a British possession.

19. In this Act and in every Act passed after the commencement of this Act the expression "person" shall, unless the contrary intention appears, include any body of persons corporate or unincorporate (v. ante, p. 161).

20. In this Act and in every other Act whether passed before or after the commencement of this Act expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in a visible form (v. ante, p. 164).

21. In this Act, and in every other Act, whether passed before or after the commencement of this Act, the expression " statutory

declaration " shall, unless the contrary intention appears, mean a declaration made by virtue of the Statutory Declarations Act, 1835 (v. ante, p. 164).

22. In this Act and in every Act passed after the commencement of this Act the expression " financial year " shall, unless the contrary intention appears, mean as respects any matters relating year " in to the Consolidated Fund or moneys provided by Parliament, or to f^t^re Acts. the Exchequer, or to Imperial taxes or finance, the twelve months ending- the 31st day of March (v. ante, p. 163).

23. In any Act passed after the commencement of this Act, unless the contrary intention appears, Definition of
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" Lands
The expression "Lands Clauses Acts" shall mean
—
Acts."
(a) as respects England and Wales, the Lands Clauses Con- solidation Act, 1845, the Lands Clauses Consolidation Acts Amendment Act, 1860, the Lands Clauses Con- solidation Act, 1869, and the Lands Clauses (Umpire) Act, 1883, and any Acts for the time being in force amending the same ; and 8 & 9 Vict. c. 18. 23 & 24 Viet, 32 & 33 viot e. 18. 46 & 47 Vict.
(b) as respects Scotland, the Lands Clauses Consolidation (Scotland) Act, 1845, and the Lands Clauses Consolida- tion Acts Amendment Act, 1860, and any Acts for the time being in force amending the same; and g'^'^d y + „. 19. 23 & 24 Vict. 0. 106.
(c) as respects Ireland, the Lands Clauses Consolidation Act, 1845, the Lands Clauses Consolidation Acts Amend- ment Act, 1860, the Railways Act (Ireland), 1851, the Railways Act (Ireland), 1860, the Railways Act (Ireland), 1864, and the Railways Traverse Act, and any Acts for the time being in force amending the same. a & 9 Vict. 0. 18. 23 & 24 Viet. i4&%viot c. 70. 23 & 24 Vict. 0. 97. 27 & 28 Vict.

24. In any Act passed before or after the commencement of this Act the expression "Irish Valuation Acts" shall mean the Acts relating' to the valuation of rateable propertv in Ireland. 0. 71. 31 & 32 Viot. ^' Meanino" of

25. In this Act and in every other Act, whether passed before after the commencement of this Act, the expression " ordnance map " shall, unless the contrary intention appears, mean a map made under the powers conferred by the Survey (Great Britain) Acts, 1841 to 1870, or by the Survey (Ireland) Acts, 1825 to 1870, the Acts amending the same respectively. (See 33 & 34 Vict, c. 13.) Irish Valuaor " ordnance tion Acts. Meaning of ™^Pand

26. Where an Act passed after the commencement of this Act authorises or requires any document to be served by post, whether the expression "serve," or the expression "give" or "send," or any other expression is used, then, unless the contrary intention appears, the service shall be deemed to be effected by properly Meaning of "service by ^

addressing, prepaying, and posting a letter containing the document, and unless the contrary is proved to have been effected at the time at which the letter would be delivered in the ordinary course of post.

27. In every Act passed after the commencement of this Act, Meaning of the expression "committed for trial" used in relation to any "committed person shall, unless the contrary intention appears, mean, as for trial." respects England and Wales, committed to prison with the view of being- tried before a judge and jury, whether the person is committed in pursuance of section twenty-two or of section twentyfive of the Indictable Offences Act, 1848, or is committed by a 11 & 12 Viot. court, judge, coroner, or other authority having power to commit a person to any prison with a view to his trial, and shall include a person who is admitted to bail upon a recognisance to appear and take his trial before a judge and jury.

28. In this Act and in every Act passed after the commencement of this Act, unless the contrary intention appears —

The expression "sheriff" shall, as respects Scotland, include a sherifi substitute:

The expression "felony" shall, as respects Scotland, mean a high crime and offence:

The expression "misdemeanour" shall, as respects Scotland, mean an ofience.

29. In every Act passed after the commencement of this Act, unless the contrary intention appears, the expression "county court " shall, as respects Ireland, mean a civil bill court within the meaning of the ;C'ounty Officers and Courts (Ireland) Act, 1877.

30. In this Act and in every other Act, whether passed before or after the commencement of this Act, references to the Sovereign reigning at the time of the passing of the Act or to the Otown shall, unless the contrary intention appears, be construed as references to the Sovereign for the time being, and this Act shall be binding on the Crown (v. ante, p. 374).

31. Where any Act whether passed before or after the commencement of this Act, confers power to make, grant, or issue any instrument, that is to say, any Order in Council, order, warrant, scheme, letters patent, rules, regulations, or byelaws, expressions used in the instrument, if it is made after the commencement of this Act, shall, unless the contrary intention appears, have the same respective meanings as in the Act conferring the power (v. ante, p. 278).

32.—(1 •) Where an Act passed after the commencement of this Act confers a power or imposes a duty, then, unless the contrary intention appears, the power may be exercised and the duty shall be performed from time to time as occasion requires (v. ante p. 271).

(2.) Where an Act passed after the commencement of this Act confers a power or imposes a duty on the holder of an office, ap such, then, unless the contrary intention appears, the power may be exercised and the duty shall be performed by the holder for the time being of the office (v. ante, p. 262).

(3.) Where an Act passed after the commencement of this Act confers a power to make any rules, regulations, or byelaws, the

power shall, unless the contrary intention appears, be construed as including a power, exerciseable in the like manner and subject to the like consent and conditions, if any, to rescind, revoke, amend or vary the rules, regulations, or byelaws (v. ante, pp. 277, 278).'

33. Where an Act or omission constitutes an offence under two or more Acts, or both under an Act and at common law, whether any such Act was passed before or after the commencement of this Act, the offender shall, unless the contrary intention appears, be liable to be prosecuted and punished under either or any of those Acts or at common law, but shall not be liable to be punished twice for the same offence (v. ante, pp. 225, 308, 322).

34. In the measurement of any distance for the purposes of Measurement any Act passed after the commencement of this Act, that distance of distances, shall, unless the contrary intention appears, be measured in a straight line on a horizontal plane (v. ante, p. 164).

35.—(1.) In any Act, instrument, or document, an Act may be Citation of cited by reference to the short title, if any, of the Act, either with -A-ot^. or without a reference to the chapter, or by reference to the regnal year in which the Act was passed, and where there are more statutes or sessions than one in the same regnal year, by reference to the statute or the session, as the case may require, and where there are more chapters than one, by reference to the chapter, and any enactment may be cited by reference to the section or subsection of the Act in which the enactment is contained (v. ante, p. 50).

(2.) Where any Act passed after the commencement of this Act contains such reference as aforesaid, the reference shall, unless a contrary intention appears, be read as referring, in the case of statutes included in any revised edition of the statutes purporting to be printed by authority, to that edition, and in the ease of statutes not so included, and passed before the reign of King Greorge the First, to the edition prepared under the direction of the Eecord Commission; and in other cases to the copies of the statutes [See 13 & 14 purporting to be printed by the Queen's Printer or under the viot o. 21, superintendence or authority of Her Majesty's Stationery Office ^' ^"J (v. ante, p. 50).

(3.) In any Act passed after the commencement of this Act a description or citation of a portion of another Act shall, unless the contrary intention appears, be construed as including the word, section, or other part mentioned or referred to as forming the begiiming and as forming the end of the portion comprised in the description or citation (v. ante, p. 315).

36.—(1-) In this Act, and in every Act passed either before or "Commenceafter the commencement of this Act, the expression "commence- ment." ment," when used with reference to an Act, shall mean the time at which the Act comes into operation (v. ante, p. 163).

(2.) Where an Act passed after the commencement of this Act, or any Order in Council, order, warrant, scheme, letters patent, rules, regulations, or bye-laws made, granted, or issued, under a power conferred by any such Act, is expressed to come into operation on a particular day, the same shall be construed as coming into operation immediately on the expiration of the previous day (v. ante, p. 343).

37. Where an Act passed after the commencement of this Act Exercise of is not to come into operation immediately on the passing thereof, statutory and confers power to make any appointment, to make, grant, or powers beissue any instrument, that is to say, any Order in Council, order, and*com-^'*"^

warrant, scheme, letters patent, rules, regulations, or bye-laws, mencement
to give notices, to prescribe forms, or to do any other thing for the of Act.
purposes of the Act, that power may, unless the contrary intention
appears, be exercised at any time after the passing of the Act, so far as may be necessary or expedient for the purpose of bringing
the Act into operation at the date of the eommencement thereof,
subject to this restriction, that any instrument made under the
power shall not, unless the contrary intention appears in the Act,
or the contrary is necessary for bringing the Act into operation,
come into operation until the Act comes into operation (v. ante,
pp. 277, 344).

38.—(1.) Where this Act or any Act passed after the commencement
of this Act repeals and re-enacts, with or without
modification, any provisions of a former Act, references in any
other Act to the provisions so repealed, shall, unless the contrary
intention appears, be construed as references to the provisions so
re-enacted (v. ante, pp. 137, 323).

(2.) Where this Act or any Act passed after the commencement
of this Act repeals any other enactment, then, unless the contrary
intention appears, the repeal shall not—

(a) revive anything not in force or existing at the time at
which the repeal takes efiect; or,

(b) affect the previous operation of any enactment so repealed
or anything duly done or suffered under any enactment
so repealed; or

(c) affect any right, privilege, obligation, or liability acquired,
accrued, or incurred under any enactment so repealed;
or

(d) affect any penalty, forfeiture, or punishment incurred in
respect of any offence committed against any enactment
so repealed; or

(e) affect any investigation, legal proceeding, or remedy in
respect of any such right, privilege, obligation,
liability, penalty, forfeiture, or punishment as aforesaid;

and any such investigation, legal proceeding, or remedy may be
instituted, continued, or enforced, and any such penalty, forfeiture,
or punishment may be imposed, as if the repealing Act
had not been passed (v. ante, p. 315).

Definition of
"Act" in
this Act.

39. In this Act the expression "Act" shall include a local
and personal Act and a private Act (v. ante, pp. 161, 332).

Saving for
past Acts.

40. The provisions of this Act respecting the construction of
Acts passed after the commencement of this Act shall not affect
the construction of any Act passed before the commencement of
this Act, although it is continued or amended by an Act passed
after such commencement (v. ante, p. 161).

Repeal.

41. The Acts described in the Schedule to this Act are hereby
repealed to the extent appearing in the third column of the
Schedule.

Oommenoement
of Act.

Short title.

Supplemental.

42. This Act shall come into operation on the first day of January one thousand eight hundred and ninety.
43. This Act may be cited as the Interpretation Act, 1889.